

MAY 17 2017

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NO FEE – GOV'T CODE § 6103

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES, CENTRAL DISTRICT

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

vs.

PEDRO BRIONES aka PEDRO BRIONES  
CASTILLO, an individual; MARIA BRIONES aka  
MARIA DE TRANSITO BRIONES and MARIA DE  
TRANSITO SANCHEZ, an individual; FREDY A.  
RODRIGUEZ CORTEZ aka FREDY ANTONIO  
RODRIGUEZ, an individual; and DOES 1 through  
50, inclusive,

Defendants.

Case No.:

BC 6 6 1 5 0 1

COMPLAINT FOR ABATEMENT AND  
INJUNCTION

[HEALTH & SAF. CODE SECTION  
11570, ET SEQ.; CIVIL CODE  
SECTION 3479, ET SEQ.; BUS. &  
PROF. CODE SECTION 17200, ET  
SEQ.]

[Unlimited Action]

PLAINTIFF, THE PEOPLE OF THE STATE OF CALIFORNIA, alleges as follows:

I.

INTRODUCTION

1. This action ("Action") is brought and prosecuted by Plaintiff, the People of the State of California ("People"), for the purpose of abating, preventing, and enjoining a gang-and narcotics-related public nuisance existing at a commercial location at 3769 S. Western Avenue, Los Angeles, CA 90018 (the "Property"). By day, a second-hand or re-sale store purportedly operates on the ground floor of this two-story Property. At night, however, the second floor of the Property becomes an illegal after-hours club, or casita, taxed by and

1 operating at the blessing of the notorious and violent Mara Salvatrucha-13 ("MS-13") criminal  
2 street gang. Illegal narcotics are stored, packaged, sold and used at the casita on a routine  
3 and regular basis. Alcohol is always available for sale at the casita, and gambling – where the  
4 house gets a cut of each hand – is a staple activity for casita patrons. Prostitutes also operate  
5 at the casita. Armed MS-13 gang members and associates guard the door, providing  
6 "security" and monitoring anyone approaching via electronic video counter-surveillance. The  
7 Property is 83 feet away from Foshay Middle School and within one mile of about two dozen  
8 other sensitive sites, including schools, churches and parks.

9         2. The Property has been operating as a casita since at least 2014. Los Angeles  
10 Police Department ("LAPD") officers responded to the Property to investigate a fatal stabbing  
11 that had occurred there in the early morning hours of June 7, 2014. Officers discovered that  
12 the casita doorman, or bouncer, was one of four people stabbed following an altercation at the  
13 casita around 5 am that day. The doorman, stabbed five times when he tried to calm two  
14 arguing casita patrons, ultimately succumbed to his wounds and was pronounced dead at  
15 California Hospital.<sup>1</sup> A recent investigation by the Los Angeles Metropolitan Task Force on  
16 Violent Gangs into the MS-13 criminal street gang confirmed that the Property is and has been  
17 operating as a casita for at least three years. In late November of 2016, illegal narcotics  
18 transactions occurred at the casita. On December 17, 2016, a federal search warrant  
19 executed at the Property resulted in the recovery of methamphetamine and cocaine as well as  
20 27 rounds of .38 special ammunition and .380 automatic ammunition from the casita. To, date  
21 the Property continues to operate as a casita where illegal narcotics are sold.

22         3. Defendants PEDRO BRIONES aka PEDRO BRIONES CASTILLO and MARIA  
23 BRIONES aka MARIA DE TRANSITO BRIONES and MARIA DE TRANSITO SANCHEZ  
24 ("BRIONES DEFENDANTS"), have owned this commercial Property since 1985. They reside  
25 less than four miles from the Property, according to public records. This nuisance abatement  
26 prosecution is intended to compel prompt action by the BRIONES DEFENDANTS and  
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<sup>1</sup> While it is unclear whether the doorman who was stabbed to death in 2014 was an MS-13 gang member, the current doorman is an active MS-13 gang member, according to law enforcement officers.

1 permanently break the cycle of escalating gang violence and narcotics activity at the Property  
2 swiftly and finally.

3 II.

4 **THE PARTIES AND THE PROPERTY**

5 **A. The Plaintiff**

6 4. Plaintiff, the People, is the sovereign power of the State of California, and is  
7 authorized to bring the first cause of action pursuant to the Narcotics Abatement Law ("NAL"),  
8 Health and Safety Code section 11571, *et seq.*; the second cause of action pursuant to  
9 California Code of Civil Procedure section 730 which authorizes abatement, injunction, and  
10 penalty of and for public nuisances pursuant to the Public Nuisance Law ("PNL"), California  
11 Code sections 3479-3480; and the third cause of action pursuant to California Business and  
12 Professions Code section 17204, which authorizes cities with a population in excess of  
13 750,000, such as Los Angeles, to prosecute actions for relief under California Business and  
14 Professions Code section 17200, *et seq.* ("UCL") for unlawful competition.

15 **B. The Defendants**

16 5. The Property is currently owned by the BRIONES DEFENDANTS, who acquired  
17 it in 1985 and took title as husband and wife in a joint tenancy capacity, per public records.

18 6. Defendant FREDY A. RODRIGUEZ CORTEZ aka FREDY ANTONIO  
19 RODRIGUEZ ("RODRIGUEZ"), an MS-13 associate, is a tenant at the Property and the  
20 manager of the casita. Rodriguez has operated the casita at the Property since 2014, with the  
21 approval of MS-13, whom he pays \$300 weekly as rent, or tax, from casita profits. Plaintiff is  
22 informed and believes and thereon alleges that RODRIGUEZ utilizes an armed MS-13 gang  
23 member and other MS-13 gang members and associates to run the day-to-day operations of  
24 the casita, including, but not limited to: guarding the front entrance, monitoring anyone  
25 approaching, deciding who should be allowed in, and conducting security patrols in the  
26 surrounding area. Plaintiff is informed and believe and alleges thereon that RODRIGUEZ  
27 ensures that there are ample narcotics available for sale in the casita to its patrons. When  
28 narcotics supplies dwindle, RODRIGUEZ coordinates the procurement of additional narcotics.

1 According to city records, since 2015, a Fredy A. Rodriguez Cortez doing business as Outlet  
2 de Segunda has been operating from the Property.

3 7. The true names and capacities of defendants sued herein as Does 1 through 50,  
4 inclusive, are unknown to Plaintiff, who therefore sues said defendants by such fictitious  
5 names. When the true names and capacities of said defendants have been ascertained,  
6 Plaintiff will seek leave of Court to amend this complaint and to insert in lieu of such fictitious  
7 names the true names and capacities of said fictitiously named defendants.

8 **C. The Property**

9 8. The Property, located in LAPD's Southwest Division near the heavily-traveled  
10 intersection of Western Avenue and Exposition Boulevard in the Exposition Park area of Los  
11 Angeles, is a single two-story storefront on a commercial strip of Western Avenue. The  
12 Property is surrounded by and adjacent to numerous businesses open to the public. There is  
13 no exterior signage at the Property indicating the type of business operating there, but Plaintiff  
14 is informed and believes and thereon alleges that Outlet de Segunda is a second-hand or  
15 resale store where used items such as appliances, equipment, televisions, VCRs, bicycles,  
16 etc., are acquired by the business for resale to the general public.

17 9. The legal description of the Property is: "The South 21.5 Feet of Lot 171 of Tract  
18 No. 4014, in Sheet No. 2, as per Map Recorded in Book 43, Page 73 and 74 of Maps, in the  
19 Office of the County Recorder of Said County. Except Therefrom That Portion Thereof  
20 Condemned by Final Judgment out of Los Angeles County Superior Court Case No. 206441, a  
21 Certified Copy of Judgment Was Recorded in Book 9698, Page 211, Official Records."  
22 Assessor's Parcel Number 5041-036-027.

23 **III.**

24 **THE NARCOTICS ABATEMENT LAW**

25 10. Since its enactment in 1972, the principal purpose of the NAL (Health & Saf.  
26 Code, § 11570, *et seq.*) is the abatement of buildings and places "used for the purpose of  
27 unlawfully selling, serving, storing, keeping, manufacturing, or giving away any controlled  
28 substance, precursor, or analog specified in this division . . . ." (Health & Saf. Code, § 11570).

11. The NAL provides that every building or place used for the purpose of unlawfully selling, serving, storing, keeping, manufacturing, or giving away any controlled substance, precursor, or analog *inter alia*, "is a nuisance which **shall** be enjoined, abated, and prevented . . . whether it is a public or private nuisance." (Health & Saf. Code, § 11570 [emphasis added]; *People ex rel Lungren v. Peron* (1997) 59 Cal.App.4th 1383, 1389; *Lew v. Superior Court* (1993) 20 Cal.App.4th 866, 870-871.)

12. Health and Safety Code section 11571 authorizes a city attorney to bring an action to abate, prevent and perpetually enjoin such nuisances. It provides in relevant part: "Whenever there is reason to believe that a nuisance as described in Section 11570 is kept, maintained, or exists in any county, the district attorney of the county, or the city attorney of any incorporated city or of any city and county, in the name of the people, may . . . maintain an action to abate and prevent the nuisance and perpetually to enjoin the person conducting or maintaining it, and the owner, lessee, or agent of the building or place in or upon which the nuisance exists from directly or indirectly maintaining or permitting the nuisance."

13. Health and Safety Code section 11573(a) provides that: "If the existence of the nuisance is shown in the action to the satisfaction of the court or judge, either by verified complaint or affidavit, the court or judge **shall** allow a temporary restraining order or injunction to abate and prevent the continuance or recurrence of the nuisance." (Emphasis added.) In addition, Health and Safety Code section 11581 provides, as an additional remedy, for the removal and sale of all fixtures and movable property on the premises used in aiding or abetting the nuisance and for the closure of the building for up to one year.

#### IV.

## THE PUBLIC NUISANCE LAW

14. Civil Code section 3479 defines a public nuisance as “[a]nything which is injurious to health, including, but not limited to, the illegal sale of controlled substances, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any . . . public park, square, street, or highway . . .

1 . . ." (See *City of Bakersfield v. Miller* (1966) 64 Cal.2d 93, 99 ("The Legislature has defined in  
2 general terms the word 'nuisance' in Civil Code section 3479. . . .").)

3 15. Civil Code section 3480 defines a public nuisance as "one which affects at the  
4 same time an entire community or neighborhood, or any considerable number of persons,  
5 although the extent of the annoyance or damage inflicted upon individuals may be unequal."

6 16. In particular, gang activity, such as drug dealing, loitering, consumption of alcohol  
7 and illegal drugs, and boisterous conduct which creates a "hooligan-like atmosphere"  
8 constitutes a public nuisance. (*People ex rel. Gallo v. Acuna* (1997) 14 Cal.4th 1090, 1120.)

9 17. Civil Code section 3491 provides for the methods by which public nuisances  
10 such as those alleged herein may be abated. Civil Code section 3491 states that the  
11 "remedies against a public nuisance are indictment or information, a civil action or abatement."  
12 Abatement is "accomplished by a court of equity by means of an injunction proper and suitable  
13 to the facts of each case." (*Sullivan v. Royer* (1887) 72 Cal. 248, 249; see also *People v.*  
14 *Selby Smelting and Lead Co.* (1912) 163 Cal.84, 90 ("[I]n California, the rule is well established  
15 that in proper cases injunctive relief which accomplishes the purposes of abatement without its  
16 harsh features is permissible.").)

17 18. Code of Civil Procedure section 731 authorizes a city attorney to bring an action  
18 to enjoin or abate a public nuisance. It provides in relevant part "[a] civil action may be brought  
19 in the name of the people of the State of California to abate a public nuisance . . . by the city  
20 attorney of any town or city in which such nuisance exists."

21 19. Where "a building or other property is so used as to make it a nuisance under the  
22 statute, the nuisance may be abated . . . , notwithstanding that the owner had no knowledge  
23 that it was used for the unlawful purpose constituting a nuisance." (*People ex rel. Bradford v.*  
24 *Barbiere* (1917) 33 Cal.App. 770, 779; see also *Sturges v. Charles L. Harney, Inc.* (1958) 165  
25 Cal.App.2d 306, 318 ("a nuisance and liability therefore may exist without negligence"); *People*  
26 *v. McCadden* (1920) 48 Cal.App. 790, 792 ("A judgment supported on findings that such  
27 nuisance was conducted and maintained on the premises in question, regardless of the  
28 knowledge of the owner thereof, is sufficient. Such knowledge on the part of the owner . . . is

unnecessary."); *People v. Peterson* (1920) 45 Cal.App. 457, 460 ("[I]t was not necessary . . . for the trial court to find either, that the [defendants] threatened, and unless restrained, would continue to maintain, aid, and abet, the nuisance, or that they knew the building was used in violation of the act. . . . The existence of the nuisance was the ultimate fact in this case, and having been found, supports the judgment.") This is because "the object of the act is not to punish; its purpose is to effect a reformation of the property itself." (*People v. Bayside Land Co.* (1920) 48 Cal.App. 257, 261.)

## V.

### UNFAIR COMPETITION LAW

20. The practices forbidden by California's Unfair Competition Law at Business and Professions Code section 17200 *et seq.* include any practices forbidden by law, be they criminal, federal, state, municipal, statutory, regulatory or court-made. As the California Supreme Court has explained, the UCL "borrows violations of other laws and treats them as unlawful practices independently actionable under section 17200 *et seq.*" (*South Bay Chevrolet v. General Motors Acceptance Corp.* (1999) 72 Cal.App.4th 861, 880 (internal citations and quotation marks omitted).)

21. As proscribed by the UCL, "[a]n 'unlawful business activity' includes anything that can properly be called a business practice and that at the same time is forbidden by law." (*People v. McKale* (1979) 25 Cal.3d 626, 632.) Moreover, the UCL casts a broad net. "Any person performing or proposing to perform an act of unfair competition may be enjoined . . . ." (Bus. & Prof. Code, § 17203.) The term "person" includes "natural persons, corporations, firms, partnerships, joint stock companies, associations and other organizations of persons." (Bus. & Prof. Code, § 17201.) The courts have expanded section 17200's net beyond direct liability to include common law doctrines of secondary liability where the liability of each defendant is predicated on his or her personal participation in the unlawful practices. (*People v. Toomey* (1985) 157 Cal.App.3d 1, 14; *Emery v. Visa Int'l Service Ass'n* (2002) 95 Cal.App.4th 952, 960.)

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1           22. Civil actions under the UCL may be brought in the name of the People of the  
2 State of California by any city attorney of a city having a population in excess of 750,000 (Bus.  
3 & Prof. Code, § 17204), such as the City of Los Angeles. A public entity can sue pursuant to  
4 section 17200 based on violations of its own municipal code, state law, or other local  
5 ordinance. (*People v. Thomas Shelton Powers, M.D., Inc.* (1992) 2 Cal.App.4th 330, 338-  
6 339.)

7           23. Defendants engaging in violations of the UCL may be enjoined in any court of  
8 competent jurisdiction. (Bus. & Profs. Code, § 17203.) A court may make such orders or  
9 judgments, including appointment of a receiver, as may be necessary to prevent the use or  
10 employment by any person of any practice constituting unfair competition. (*Id.*)

11           24. Although no case has specifically been called upon to define the term “business”  
12 in section 17200, courts have frequently given a broad reading to the provisions of the UCL so  
13 as to effect its broad remedial purposes. (See, e.g., *Barquis v. Merchants Collection Ass’n*  
14 (1972) 7 Cal.3d 94, 111-113.) An enterprise engaged entirely in criminal conduct such as the  
15 manufacture of illegal drugs or obscene matter is a business for purposes of section 17200.  
16 (*People v. EWAP, Inc.* (1980) 106 Cal.App.3d 315, 320-321.) Moreover, recent amendments  
17 to section 17200 make clear that even a one-time act of misconduct can constitute a violation  
18 of the UCL. (*Klein v. Earth Elements, Inc.* (1997) 59 Cal.App.4th 965, 969.) Further, the  
19 ownership and operation of a rental property is, axiomatically, a business. (See *People ex rel.*  
20 *City of Santa Monica v. Gabriel* (2010), 186 Cal.App.4th 882, 888 (“The renting of residential  
21 housing is a business.”); see also *Barquis v. Merchants Collection Ass’n*, (1972) 7 Cal.3d 94,  
22 111-113 (giving a broad meaning of the UCL so as to effect its broad remedial purposes).)  
23 Thus, when a property owner conducts, maintains or permits a nuisance that is unlawful under  
24 the NAL and/or PNL to exist on the premises of such a business, it is a violation of the UCL.  
25 (See *San Francisco v. Sainez* (2000) 77 Cal.App.4th 1302, 1323.)

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VI.

**FIRST CAUSE OF ACTION FOR NARCOTICS ABATEMENT**

**[Health and Safety Code section 11570, *et seq.* --**

**Against All Defendants and DOES 1 through 50]**

25. Plaintiff hereby incorporates by reference paragraphs 1 through 24 of this Complaint and makes them part of the First Cause of Action, as if fully set forth herein.

26. The Property has been used, from an exact date unknown but at least since 2014, and is *currently* being used, for the purposes of unlawfully selling, serving, storing, keeping, manufacturing, or giving away controlled substances in violation of Health and Safety Code section 11570, *et seq.* Further, the Property's community reputation is as a gang-operated casita where narcotics such as cocaine, methamphetamine and marijuana are kept, packaged, bought, sold and consumed.

27. Defendants, and DOES 1 through 50, are responsible for conducting, maintaining, and/or directly or indirectly permitting the nuisance as alleged herein. Plaintiff has no plain, speedy, and adequate remedy at law and unless Defendants, and DOES 1 through 50, are restrained and enjoined by order of this Court, they will continue to use, occupy, and maintain, and/or aid, abet, or permit, directly or indirectly, the use, occupation, and maintenance of the Property, together with the fixtures and appurtenances located therein, for the nuisance complained of herein, to the great and irreparable damage of the public and in violation of California law.

VII.

**SECOND CAUSE OF ACTION FOR PUBLIC NUISANCE**

**[Civil Code Section 3479, *et seq.* --**

**Against All Defendants and DOES 1 through 50]**

28. Plaintiff incorporates by reference Paragraphs 1 through 27 of this Complaint and makes them part of this Second Cause of Action as though fully set forth herein.

29. Since 2014 through the present time, the Property has been owned, operated, occupied, used, and/or directly or indirectly permitted to be occupied and used, in such a

1 manner as to constitute a public nuisance in violation of Civil Code sections 3479 and 3480.  
2 The public nuisance, as described herein, is injurious to health, indecent or offensive to the  
3 senses, and/or an obstruction to the free use of property, so as to substantially and  
4 unreasonably interfere with the comfortable enjoyment of life or property by those persons  
5 living in the surrounding community. In addition to the narcotics activity described herein, the  
6 public nuisance at the Property consists of, but is not limited to: stabbings, murder, the  
7 presence of illegal ammunition and firearms, the near constant threatening and disorderly  
8 presence of gang members and/or associates as well as illegal alcohol sales, gambling and  
9 prostitution at an illegal after-hours club, or casita, operated by and at the blessing of the MS-  
10 13 criminal street gang.

11 30. Defendants, and DOES 1 through 50, in owning, conducting, maintaining, and/or  
12 permitting the use of the Property, directly or indirectly, as a public nuisance, have engaged in  
13 wrongful conduct and caused a serious threat to the general health, safety and welfare of the  
14 persons in the area surrounding the Property.

15 31. Unless Defendants, and DOES 1 through 50, are restrained and enjoined by  
16 order of this Court, they will continue to use, occupy and maintain, and to aid, abet or permit,  
17 directly or indirectly, the use, occupation, and maintenance of the Property, together with the  
18 fixtures and appurtenances located therein, for the purpose complained of herein, to the great  
19 and irreparable damage of Plaintiff and in violation of California law.

#### 20 VIII.

#### 21 THIRD CAUSE OF ACTION FOR UNFAIR COMPETITION

#### 22 [Business and Professions Code Section 17200, et seq. –

#### 23 Against All Defendants and DOES 1 through 50]

24 32. Plaintiff hereby incorporates by reference paragraphs 1 through 31 of this  
25 Complaint and makes them part of this third Cause of Action, as if fully set forth herein.

26 33. Ownership and rental of commercial real estate is a business. When the owners  
27 of such businesses violate the NAL and/or the PNL such that a nuisance exists and flourishes  
28 at the business' premises, as set forth herein, it is also a violation of the UCL.

34. Defendants and DOES 1-50 have violated the UCL by engaging in the following unlawful or unfair business acts and practices: conducting, maintaining and/or permitting, directly or indirectly, narcotics- and gang-related criminal and/or nuisance activity at the Property, as alleged herein, in violation of the NAL and/or the PNL through operation of an illegal after-hours club, or casita, operated by and at the blessing of the MS-13 criminal street gang.

35. Plaintiff has no adequate remedy at law, and unless Defendants and DOES 1-50 are restrained by this Court they will continue to commit unlawful business practices or acts, thereby causing irreparable injury and harm to the public's welfare.

## PRAYER

**WHEREFORE, PLAINTIFF PRAYS THAT THIS COURT ORDER, ADJUDGE AND DECREE AS FOLLOWS:**

AS TO THE FIRST CAUSE OF ACTION:

AS TO ALL DEFENDANTS,

and DOES 1 through 50:

1. That each Defendant, and the Property, including all building and structures thereon, be declared in violation of Health and Safety Code section 11570, *et seq.*

2. That the Property, together with the fixtures and moveable property therein and thereon, be found to constitute a public nuisance and be permanently abated as such in accordance with section 11581 of the California Health and Safety Code.

3. That the Court grant a preliminary injunction, permanent injunction and order of abatement in accordance with Section 11570, *et seq.*, of the California Health and Safety Code, enjoining and restraining each Defendant, and any agents, officers, employees, and anyone acting on their behalf, from unlawfully selling, serving, storing, keeping, manufacturing, or giving away controlled substances on the Property, and/or directly or indirectly maintaining or permitting such nuisance activity.

4. That the Court order physical and managerial improvements to the Property in accordance with Health and Safety Code section 11573.5, and such orders as are otherwise

1 appropriate, to remedy the nuisance on the Property and enhance the abatement process,  
2 including, but not limited to, the following: eviction or termination of tenancy, as required by  
3 law, of the commercial tenant operating at the Property; an internet-connected video  
4 monitoring system covering all public areas at the Property that is accessible by LAPD;  
5 improved lighting; sufficiently secure gating and fencing; improved tenant screening and lease  
6 enforcement procedures, including earlier closure times for the businesses operating there;  
7 and armed, licensed security guards.

8 5. That as part of the Judgment, an Order of Abatement be issued, and that the  
9 Property be closed for a period of one year, not to be used for any purpose, and be under the  
10 control and custody of this Court for said period of time; or, in the alternative, if the Court  
11 deems such closure to be unduly harmful to the community, that Defendant pay an amount of  
12 damages equal to the fair market rental value of the Property for one year to the City of Los  
13 Angeles in accordance with Health and Safety Code section 11581 subdivision (c)(1).

14 6. That each Defendant be assessed a civil penalty in an amount not to exceed  
15 twenty-five thousand dollars (\$25,000.00) each.

16 7. That all fixtures and moveable property used in conducting, maintaining, aiding,  
17 or abetting the nuisance at the Property be removed by the LAPD and sold in the manner  
18 provided for the sale of chattels under execution. Said fixtures and property shall be  
19 inventoried and a list prepared and filed with this court.

20 8. That there shall be excepted from said sale, such property to which title is  
21 established in some third party not a defendant, nor agent, officer, employee, or servant of any  
22 defendant in this proceeding.

23 9. That the proceeds from said sale be deposited with this court for payment of the  
24 fees and costs of sale. Such costs may occur in removal of said property and in closing said  
25 Property and keeping it closed.

26 10. That if the proceeds of the sale do not fully discharge all such costs, fees and  
27 allowances, the Property shall also be sold under execution issued upon the order of the court  
28 or judge and the proceeds of such sale shall be applied in a like manner. That any excess

monies remaining after payment of approved costs shall be delivered to the owner of said Property. Ownership shall be established to the satisfaction of this court.

11. That each Defendant, and any agents, trustees, officers, employees and anyone acting on their behalf, and their heirs and assignees, be perpetually enjoined from transferring, conveying, or encumbering any portion of the Property, for consideration or otherwise, without first obtaining the Court's prior approval.

12. That each Defendant be ordered to immediately notify any transferees, purchasers, commercial lessees, or other successors in interest to the subject Property of the existence and application of any temporary restraining order, preliminary injunction, or permanent injunction to all prospective transferees, purchasers, commercial lessees, or other successors in interest, *before* entering into any agreement to sell, lease or transfer the Property, for consideration or otherwise, all or any portion of the Property that is the subject of this action.

13. That each Defendant be ordered to immediately give a complete, legible copy of any temporary restraining order and preliminary and permanent injunctions to all prospective transferees, purchasers, lessees, or other successors in interest to the Property.

14. That each Defendant be ordered to immediately request and procure signatures from all prospective transferees, purchasers, lessees, or other successors in interest to the subject Property, which acknowledges his/her respective receipt of a complete, legible copy of any temporary restraining order, preliminary and permanent injunction, and deliver a copy of such acknowledgment to the Los Angeles City Attorney's Office, c/o Deputy City Attorney Liora Forman-Echols or her designee.

15. That Plaintiff recover the costs of this action, including law enforcement investigative costs and any fees, including attorneys' fees, authorized by law, not to exceed \$1,000,000.00, from Defendants.

AS TO THE SECOND CAUSE OF ACTION

AS TO ALL DEFENDANTS and DOES 1 through 50:

1. That the Property, together with the fixtures and moveable property therein and

1 thereon, be declared a public nuisance and be permanently abated as such in accordance with  
2 Civil Code section 3491.

3 2. That each Defendant, and any agents, officers, employees, and anyone acting  
4 on their behalf, and their heirs and assignees, be preliminarily and perpetually enjoined from  
5 operating, conducting, using, occupying, or in any way permitting the use of the Property as a  
6 public nuisance. Such orders should include, but not be limited to physical and managerial  
7 improvements to the Property, and such other orders as are appropriate to remedy the  
8 nuisance on the Property and enhance the abatement process.

9 3. Such costs as may occur in abating said nuisance at the Property and such other  
10 costs as the Court shall deem just and proper.

11 4. That Plaintiff be granted such other and further relief as the Court deems just and  
12 proper, including closure and/or demolition of the Property.

13 AS TO THE THIRD CAUSE OF ACTION

14 AS TO ALL DEFENDANTS and DOES 1 through 50:

15 1. That each Defendant be declared in violation of Business and Professions Code  
16 section 17200.

17 2. That each Defendant, as well as their agents, heirs, successors, and anyone  
18 acting on its behalf, be permanently enjoined from maintaining, operating, or permitting any  
19 unlawful or unfair business acts or practices in violation of Business and Professions Code  
20 section 17200.

21 3. That the Court grant a preliminary and/or permanent injunction prohibiting each  
22 Defendant, as well as their agents, heirs, successors, and anyone acting on their behalves,  
23 from engaging in the unlawful or unfair acts and/or practices described herein at the Properties  
24 and in the City of Los Angeles. Such orders should include physical and managerial  
25 improvements to the Property.

26 4. That, pursuant to Business and Professions Code section 17206, each  
27 Defendant be assessed a civil penalty of \$2,500 for each and every act of unfair competition.

28 5. That, pursuant to the Court's equitable power and Business and Professions

1 Code section 17203, the Court make such orders or judgments, including appointment of a  
2 receiver, to eliminate the unlawful or unfair competition alleged herein.

3 AS TO ALL CAUSES OF ACTION

4 1. That Plaintiff recover the amount of the filing fees and the amount of the fee for  
5 the service of process or notices which would have been paid but for Government Code  
6 section 6103.5, designating it as such. The fees may, at the Court's discretion, include the  
7 amount of the fees for certifying and preparing transcripts.

8 2. That Plaintiff be granted such other and further relief as the Court deems just and  
9 proper.

10  
11 DATED: May 15, 2017

Respectfully submitted,

12 MICHAEL N. FEUER, City Attorney  
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14  
15 By: 

16 LIORA FORMAN-ECHOLS, Deputy City Attorney  
17 Attorneys for Plaintiff, THE PEOPLE OF THE  
18 STATE OF CALIFORNIA  
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